

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

SYLVESTER ROGERS, JR., §  
§  
Plaintiff, §  
VS. § CIVIL ACTION NO. C-07-410  
§  
NUECES COUNTY, *et al*, §  
§  
Defendants. §

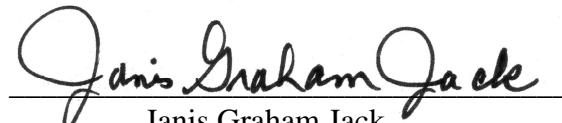
**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO DENY PLAINTIFF'S MOTION FOR DEFAULT  
JUDGMENT AGAINST DEFENDANT KAREN NEAL**

On October 16, 2008, United States Magistrate Judge B. Janice Ellington signed a Memorandum and Recommendation recommending that plaintiff's motion for entry of default and for default judgment (D.E. 70) be denied. A copy of the Memorandum and Recommendation was mailed to plaintiff with a card to be returned indicating his receipt of the mailing. The card has not been returned by plaintiff nor has the mailing been returned by the U.S. Post Office as undeliverable. Therefore, seeing no objection to this recommendation by either party and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court. Accordingly, it is

ORDERED that plaintiff's motion for entry of default and for default judgment is denied.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 21st day of November, 2008.

  
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Janis Graham Jack  
United States District Judge